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8 Attorneys for Defendant

9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11  
12 SHEILA K. MORSE,

13 Plaintiff,

14 v.

15 JO ANNE B. BARNHART,  
16 Commissioner of  
17 Social Security,

18 Defendant.  
19

CASE NO. **2:05-CV-00569-PAN**

STIPULATION AND [proposed]  
ORDER ESTABLISHING OCTOBER  
31, 2005 AS DATE OF SERVICE OF  
SUMMONS AND COMPLAINT ON  
UNITED STATES ATTORNEY'S  
OFFICE

20  
21 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,  
22 subject to the approval of the Court, that Plaintiff first served the United States Attorney's Office [by  
23 *facsimile transmission pursuant to special agreement in this case only*] on October 31, 2005. The  
24 parties further stipulate that Defendant's answer shall be due within 90 days from the above-stated  
25 date of service, as required by the Court's Scheduling Order, with succeeding time periods following  
26 accordingly.  
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1 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this  
2 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes  
3 counsel for Defendant to file this document in .pdf format under the latter's Electronic Case Filing  
4 password, pursuant to Local Rule 7-131.  
5

6 DATED: November 1, 2005

/s/ Richard A. Whitaker

Richard A. Whitaker

Attorney for Plaintiff

10 DATED: November 1, 2005

McGREGOR W. SCOTT

United States Attorney

12 By: /s/ Bobbie J. Montoya

13 BOBBIE J. MONTOYA

14 Assistant U. S. Attorney

15 Attorneys for Defendant  
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**ORDER**

Upon stipulation of the parties, it is hereby established that the summons and complaint for Case No. 2:05-CV-00569-PAN, SHEILA K. MORSE v. Jo Anne B. Barnhart, were served on the United States Attorney's Office on October 31, 2005, and that the timetable established by the Court's Scheduling Order for filing of Defendant's answer and succeeding papers shall follow upon that date.

**APPROVED AND SO ORDERED.**

**DATED: November 9, 2005.**

**/s/ Peter A. Nowinski**

**PETER A. NOWINSKI**

**UNITED STATES MAGISTRATE JUDGE**